

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant : | Björn Nilsson | Art Unit : | 1624 |
| Patent No. : | 7,247,633 | Examiner : | Venkataraman Balasubramanian |
| Issue Date : | July 24, 2007 | Conf. No. : | 6954 |
| Serial No. : | 10/618,868 | | |
| Filed : | July 14, 2003 | | |
| Title : | PYRIMIDINE COMPOUNDS AND THEIR USE | | |

MAIL STOP PETITIONS (c/o OPLA)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705(d)

Applicants hereby petition for reconsideration of the Patent Term Adjustment (PTA) accorded the above-referenced patent. Attached herewith is a copy of the Issue Notification including a Determination of Patent Term Adjustment under 35 U.S.C. § 154(b), mailed July 4, 2007, for the above-referenced patent. The notification, as well as the face of the patent, states that the Patent Term Adjustment at issuance is 0 days. Reconsideration of the Patent Term Adjustment is respectfully requested.

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Applicant : Björn Nilsson
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Attorney's Docket No.: 13425-056002 / 00410-US -DIV

REMARKS

In consideration of the events described above, Applicants believe the PTA calculation of 0 days is incorrect.

Applicants believe the "Letter Regarding Patent Term Adjustment" filed May 11, 2007 should not be considered a "failure to engage in reasonable efforts" under 37 CFR §1.704(c)(10) given the discussion in MPEP 2733:

If a registered practitioner receives a notice of allowance with a patent term adjustment that is longer than expected, the practitioner should disclose the error to the Office in compliance with the practitioner's duty of candor and good faith in practice before the Office. Where the correct patent term adjustment is thought to be less than indicated by the Office, an application for term adjustment under 37 CFR 1.705(b) need not be filed. Instead, a letter could be filed with the issue fee payment, indicating that the term adjustment is thought to be longer than appropriate.

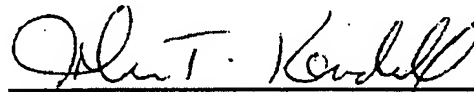
Applicants thus respectfully request the removal of 75 days of Applicant Delay attributed to the "Miscellaneous Incoming Letter" entries after allowance, thus decreasing Applicant Delay from 296 days to 222 days and increasing the Total PTA from 0 to 8 days.

Applicants believe the \$200.00 payment for the petition fee required by 1.18(e) should be waived due to the nature of the PTO's errors after allowance. If this request does not meet the criteria for dismissal or waiver of a PTA petition fee, please apply the fee and any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 13425-056002.

Respectfully submitted,

Date:

September 21, 2007



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